

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Serial No. 10/053,731
Filing Date January 18, 2002
Inventor..... Jonathan Christopher Hardwick et al.
Group Art Unit 2123
Examiner Sharon, Ayal
Attorney's Docket No. MS183174.1/40062.164US01 (MSI-1423US)
Confirmation No. 4229
Title: Evaluating Hardware Models Having Resource Contention

PETITION TO ACCEPT UNINTENTIONALLY DELAYED CLAIM UNDER 35 U.S.C. 120 PURSUANT TO 37 C.F.R. §1.78(a)(3)

To: Commissioner for Patents,
PO Box 1450
Alexandria, Virginia 22313-1450

From: Allan T. Sponseller (Tel. 509-324-
Customer No. 22801

Applicant respectfully requests the Commissioner to accept an unintentionally delayed claim under 35 U.S.C. 120 for the benefit of a prior-filed application pursuant to 37 C.F.R. §1.78(a)(3).

The reference to the prior-filed application is included as an amendment to the specification in the Response to the outstanding Office Action filed with this petition. This reference is as follows:

This application is a continuation-in-part of U.S. Patent Application Serial No. 09/632,522, filed August 4, 2000, now U.S. Patent No. 6,925,431. This application, and U.S. Patent Application Serial No. 09/632,522, claim priority to U.S. Provisional Application No. 60/209,759, filed June 6, 2000.

C.F.R. §1.78(a)(2)(ii) and the date this claim was filed was unintentional.

The commissioner is hereby authorized to charge the surcharge set forth in
37 C.F.R. §1.17(t) to Deposit Account No. 12-0769.

The Commissioner is hereby authorized to charge any required fees for the above captioned application to our Deposit Account No. 12-0769.

Respectfully Submitted,

Dated: 2/15/06

By:

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